

14-15

**AN ORDINANCE AUTHORIZING THE EXECUTION OF DECLARATION OF
TERMINATION OF EASEMENTS AND CONFIRMATION OF COMPLIANCE WITH
SETBACK REQUIREMENTS FOR PROPERTY KNOWN AS A PART OF
NORTH OAKS PLAZA, U.S. ROUTE 1 AND NORTH OAKS BOULEVARD,
NORTH BRUNSWICK, MIDDLESEX COUNTY, NEW JERSEY, ALSO KNOWN AS
A PORTION OF BLOCK 140.01, LOT 10.01 ON THE OFFICIAL TAX MAP OF THE
TOWNSHIP OF NORTH BRUNSWICK, MIDDLESEX COUNTY,
STATE OF NEW JERSEY**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of North Brunswick is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of North Brunswick has the power to acquire any real property or property interests for a public purpose through negotiated agreement; and

WHEREAS, North Brunswick Route 1, LLC is the owner ("Owner") of property known as North Oaks Plaza, U.S. Route 1 and North Oaks Boulevard, North Brunswick, New Jersey, also known as Block 140.01, Lot 10.01, on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey ("Property") upon which certain utilities have been installed; and

WHEREAS, it has been determined that the existing utilities on the Property are not accurately depicted on the approved and/or filed maps; and

WHEREAS, it has been determined that the existing building on the Property does not comply with the setback lines as shown on the filed maps; and

WHEREAS, contemporaneously with this proposed easement termination, new easements are being established on the Property including a new Waterline Easement and a Storm Sewer Emergency Access Easement in favor of the Township of North Brunswick; and

WHEREAS, the existing buildings and setbacks were inspected and approved by the Township of North Brunswick;

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey that the execution of the "Declaration of Termination of Easements and Confirmation of Compliance with Setback Requirements" in substantially similar form to that attached hereto and made a part hereof regarding the property known as a part of North Oaks Plaza, U.S. Route 1 and North Oaks Boulevard, North Brunswick, New Jersey, also known as a portion of Block 140.01, Lot 10.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey, be and is hereby authorized and approved; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute and witness, respectively, the Declaration of Termination of Easements and Confirmation of Compliance with Setback Requirements in substantially similar form to that attached hereto and made a part hereof and/or any other documents necessary for the purposes stated herein; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known and may be cited as the Ordinance Authorizing the Execution of a Declaration of Termination of Easements and Confirmation of Compliance with Setback Requirements regarding a portion of North Oaks Plaza, U.S. Route 1 and North Oaks Boulevard, also known as Block 140.01, Lot 10.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey.

Robert Lombard
Business Administrator

Ronald H. Gordon, Esq.
Township Attorney
Approved as to legal form

Michael C. Hritz
Director, Department of Community Development

RECORDED VOTE FIRST READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
CORBIN				
DAVIS				
SOCIO				
NICOLA				
MAYOR WOMACK				

RECORDED VOTE SECOND READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
CORBIN				
DAVIS				
SOCIO				
NICOLA				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on December 15, 2014.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication in accordance with applicable law.

- ☐ APPROVED
☐ REJECTED

Francis Womack, Mayor
Township of North Brunswick

Date signed: _____, 2014